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MAYOR

CITY AND COUNTY OF SAN FRANCISCO
POLICE DEPARTMENT
HEADQUARTERS
1245 3RD Street
San Francisco, California 94158



WILLIAM SCOTT
CHIEF OF POLICE

April 12, 2022

Honorable Police Commission
City and County of San Francisco
1245 3rd Street, 6th Floor West
San Francisco, CA 94158

Re: Fourth Quarter 2021 Disciplinary Review Board Findings and Recommendations

Dear Commissioners:

On Wednesday March 23rd, 2022, at approximately 1100 hours, pursuant to and in compliance with Department General Order 2.04.08, Subsection B, the Disciplinary Review Board (DRB) convened to review aggregate trends appearing in Internal Affairs Division (IAD) and Department of Police Accountability (DPA) cases from the fourth quarter of 2021. The DRB also reviewed policy failure complaints and cases. The meeting was held via Microsoft Teams and the DRB was comprised as follows:

Voting Board Members

Assignments

- Assistant Chief Robert Moser (Chair)..... Chief of Staff
- Deputy Chief David Lazar..... Operations Bureau
- Deputy Chief Robert O’Sullivan.....Administration Bureau

Advisory Board Members

Assignments

- Chief of Staff Sarah Hawkins.....Department of Police Accountability
- Commissioner Cindy Elias.....Police Commission

Also present were Commander Paul Yep, Captain Mark Cota and Lieutenant Angela Wilhelm of the Risk Management Division, as well as Sergeant Joseph Minner of the Administration Bureau and Sergeant Stacy Youngblood of the Police Commission Office.

The Board reviewed the Recommendations that were put forth at the previous DRB meeting and the relevant attendee provided any updates on the progress of those recommendations.

Lieutenant Wilhelm displayed a PowerPoint presentation to the Board regarding policy and training failure cases from IAD and DPA as well as cases that showed complaint trends identified by both IAD and DPA in the fourth quarter of 2021. The trends identified by IAD included public courtesy, failure to write incident reports and failure to comply with the San Francisco health order. Lt. Wilhelm noted the last trend would not likely continue due to the unique situation that was present with the vaccine mandate during the fourth quarter of 2021. The trends identified by DPA included failure to activate BWC’s, failure to make an arrest and inappropriate behavior and comments.

IAD and DPA then presented any cases that identified policy failures during the fourth quarter of 2021.

Policy Failure:

IAD had no cases in the fourth quarter that resulted in policy failure findings.

DPA had one case that resulted in a policy failure finding. The case involved an officer attempting to unlock a suspect's cell phone. DPA found the policy regarding cell phone searches should be updated and more specific regarding current policy and law as to what constitutes a search of a phone.

Training Failure:

Neither IAD nor DPA had any cases in the fourth quarter that resulted in a training failure finding.

Both IAD and DPA then presented on cases that showed the trends in complaints for the fourth quarter of 2021.

Internal Affairs Division:

Failure to Supervise/Crisis Intervention:

IAD presented a case where officers responded to a call of several assaults that resulted in the suspect barricading himself in a hotel office. Supervisors who responded failed to recognize this as a critical incident with a barricaded suspect. Although they spoke to the suspect for an hour to attempt to gain compliance and enlisted the aid of a social worker, they failed to utilize the hostage negotiation team to assist them. Additionally, the incident resulted in several uses of force including a firearm discharge yet supervisors on scene failed to take a public safety statement. Lt. Wilhelm noted the department bulletin regarding public safety statements had expired and needs to be re-issued. She also commented this incident highlights the ongoing need for the Field Tactics Force Options training regarding critical incidents, so officers are better trained to handle complex and evolving incidents.

Department of Police Accountability:

Failure to make an arrest:

DPA presented a case where officers detained two individuals near the area of a burglary in progress call. Although they developed probable cause to arrest the individuals, they released them from the scene. The individuals had outstanding warrants as well.

Discourtesy:

DPA presented a case in which an officer was disrespectful to two citizens, accused them of criminal activity without any evidence and joked about taking them to jail. Chief of Staff Hawkins noted that DPA is seeing a trend of cases where officers are being discourteous to the public.

The DRB proposed several recommendations to address the complaint trends discussed and the cases presented to them for the fourth quarter 2021. The recommendations are as follows:

#1-SFPD to update training material to include specific established laws and policies regarding the search of cell phones and other electronic devices.

#2-SFPD to immediately re-issue DB 19-178 regarding public safety statements taken at Officer-Involved Shootings.

#3-DPA and IAD to provide BWC complaint data so an analysis can be done to determine if there are any trends regarding which category of officer receives more BWC complaints (e.g., age, years of service, assignment).

The findings of the Disciplinary Review Board for the fourth quarter of 2021 are hereby forwarded for your review and consideration.

Sincerely,


WILLIAM SCOTT
Chief of Police